UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

MOHAMAD IBRAHIM SHNEWER	:	Honorable Robert B. Kugler
	:	Civ. No. 13-3769 (RBK)
	:	Crim. No. 07-459 (RBK)
V.	:	
	:	
UNITED STATES OF AMERICA	:	

PRIVATE: OBJECTION TO THE EVIDENTIARY DECLARATIONS OF AUSA FITZPATRICK AND DEFENSE ATTORNEY CIPPARONE UNDER SEAL

Under the general purpose of the Rules of Evidence § 102 fairness is essential for securing a just determination.

The objections are lodged privately and under seal because it is believed necessary for obtaining the fairness intentions of evidentiary rules.

I believe the declarations supplied were self-serving and a collaboration to change the facts of history. This is the kind of impeachable conduct under Rule § 607 that a competent attorney at an evidentiary hearing can expose. However, if this objection is not kept under seal and the parties are given notice the opportun-ity for suring up the collaboration against the surprise of examin-ation, I believe substantially prejudices my opportunity to a fair hearing. Under rule §614(a)(b) the court has authority to call these witnesses and examine them on its own if it should not grant an evidentiary hearing. I would encourage this court at the very least to test the veracity of these declarations against the rec-ord if I am not given the opportunity of cross-examination. Rule § 611(a)(1) is for determining the truth and since a viable const-itutional claim rest upon these facts the pedantic diligence and carefulness of this court is essential for me to have a fair hearing. However, it is believed that cross-examination at an evidentiary hearing is the best method for fully exposing the 6th amendment deficiencies I suffered under Mr. Cippparone. This with the Court's knowledge of my objection to these declarations against the record held under seal gives the court the full spectrum of oversight of the facts and law in question. A life sentence should weigh heavily for giving every benefit of the doubt until certainty puts all questions to rest.

Under a fair examination calling witnesses that could rebut or impeach these declarations would expose that Mr. Cipparone was below legal standards of representation and being restored to the remedy of pre-trial would give me and new counsel just opportunity to enter into realistic plea negotiations that survive constitutional scrutiny. With reiteration I prefer a plea settlement that could help me avoid a life sentence and not a new trial.

AFFIRMATION

I, Mohamad Abrahim Shnewer, being majority in age, competent for testifying do declare and state that the above facts are true, correct, not misleading, and as for those facts based upon belief I believe them true, reserving the right for amending for truth, clarity, and justice. Done under the penalty of perjury by and through 28 U.S.C. § 1746.

February 13, 2015

Mohamad Ibrahim Shnewer

Mohamed Shnewer
61283066
USP Marion
PO Box 1000
Marion, IL 62959

SAINT LOUIS MO 630
17 FEB 2015 PM 7 L

PURPLE HEART
USA FOREVER

⇔61283-066⇔
ROBERT B KUGLER
U.S. District Judge
Rm. 1050 4th & Cooper St.
Mitcell H. Cohen Building
Camden, NJ 08101
United States

LEGAL MAIL

0810199955